



CAV 3405\$  
1723  
PATENT #4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: JONSSON, Sören )  
Serial No. 08/968,034 ) Examiner: T. Soohoo  
Filed: November 12, 1997 ) Art Unit: 3405  
For: METHOD AND DEVICE FOR FEEDING )  
COMPONENTS FOR BONE CEMENT INTO )  
A MIXING VESSEL FOR THESE )

Attorney Docket No.: C-35890

RECEIVED  
MAR 23 1999  
OFFICE OF PETITIONS  
DEPUTY ALCO PATENTS

**PETITION TO ACCORD EARLY FILING DATE: CORRECTION OF  
ERROR OF APPLICATION FILED UNDER 37 C.F.R. 1.62**

Hon. Commissioner of Patents  
and Trademarks  
Washington, D. C. 20231

November 23, 1998

**PETITION TO ACCORD EARLY FILING DATE: CORRECTION OF FILING  
ERROR OF APPLICATION FILED UNDER 37 C.F.R. 1.62**

**ORIGINAL SUBMISSION**

1. The papers for this application under 37 C.F.R. 1.62 were submitted on November 12, 1997.

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**IMPROPER FILING**

2. The filing of the papers under 37 C.F.R. 1.62(e) were improper because:

☒ a new substitute specification, which included new matter was submitted, and a marked copy showing those same additions within our Amendment was not included in the filing.

**AMENDMENT ADDING PAPERS**

3. Please add the following to the previously filed papers:

☒ a marked copy of the prior application in the form of a Preliminary Amendment to the Specification.

☐ newly submitted specification.

#### FURTHER PROSECUTION

4. Please proceed with the further prosecution of this application based on the
- ☒ attached Preliminary Amendment which includes a marked specification showing matter added and deleted, to the original specification and new claims
- ☐ unentered amendment filed under 37 C.F.R. 1.116 in the prior application, which is now repeated.
- ☐ claims as on file in the prior application.
5. CLAIM FEE CALCULATION (37 C.F.R. 1.16)

CLAIMS AS FILED					
Number filed	Number Extra		Rate	Basic Fee 37 CFR 1.16(a) \$380.00	
Total Claims	26 - 20 =	6	x \$9.00	\$ 54.00	
Independent Claims	9 - 3 =	6	x \$39.00	\$234.00	
Multiple dependent claims			+ \$260.00	--	

Filing fee calculation \$668.00

Filing fee already paid \$509.00

Filing fee due \$159.00

## PETITION

6. Applicant hereby petitions, in accordance with 37 CFR 1.62(e), for (a) the entry of the above Preliminary Amendment and (b) for the filing date of the original papers submitted on November 12, 1997, to be given the application.

## FEES PAYMENT

7.A. Fees due

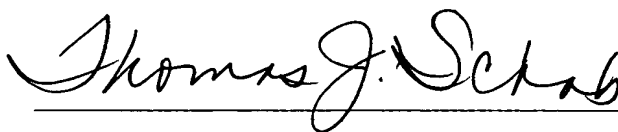
The fees due are

Petition fee	\$ <u>130.00</u>
Filing fee	\$ <u>159.00</u>
Total fees due	\$ <u>289.00</u>

B. Method of payment of fees

- ☒ Attached is check in the amount of \$289.00
- ☒ Charge Deposit Account No. 04-2219 \$ \_\_\_\_\_  
if any additional petition fees or filing fees  
are due from those of Section 7(A); please  
reference our case docket number 35890.

A duplicate of this request is attached.

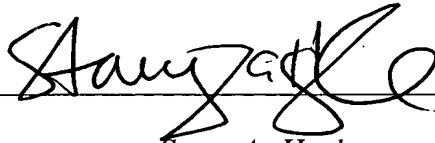


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*CERTIFICATE OF MAILING*

*I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D. C. 20231, on November 23, 1998.*

A handwritten signature in black ink, appearing to read "Stacy A. Hegle", is written over a horizontal line.

*Stacy A. Hegle*

F9418 (Dvorak & Orum)